Approved for use through 3/31/2007, OMB 0651-0021

ATTORNEY'S DOCKET NUMBER TRANSMITTAL LETTER TO THE UNITED STATES 20490.003 DESIGNATED/ELECTED OFFICE (DO/EO/US) U.S. APPLICATION NO. (If known, see 37 CFR 1.5) **CONCERNING A FILING UNDER 35 U.S.C. 371** To be assigned INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED PCT/EP2004/009364 20 August 2004 22 August 2003 TITLE OF INVENTION Fusion Polypeptides, and Use Thereof in Antivascular Tumor Therapy APPLICANT(S) FOR DO/EO/US Wolfgang E. BERDEL and Rolf M. MESTERS Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371. 2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. The US has been elected (Article 31). 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. is attached hereto (required only if not communicated by the International Bureau). b. As been communicated by the International Bureau. c. is not required, as the application was filed in the United States Receiving Office (RO/US); however, a courtesy copy is attached. 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. is attached hereto. b. has been previously submitted under 35 U.S.C. 154(d)(4) and a courtesy copy is enclosed. 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. are attached hereto (required only if not communicated by the International Bureau). b. have been communicated by the International Bureau. c. have not been made; however, the time limit for making such amendments has NOT expired. d. A have not been made and will not be made. 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. A preliminary amendment. 14. An Application Data Sheet under 37 CFR 1.76. 15. A substitute specification. 16. A power of attorney and/or change of address letter. 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825. 18. A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. Other items or information: Second and Supplementary Notice Informing the Applicant of the Communication of the International Application (to Designated Offices which Apply the 30 Month Time Limit Under Article 22(11)), and Notification Concerning Submission or Transmittal of Priority Document

Marana 2006

PTO-1390 (Rev. 12-2004) Approved for use through 3/31/2007. OMB 0651-0021

U.S. APPLICATION NO. (	ATTORNEY'S DOCKET NUMBER						
To be assigned	20490.003						
21. The following fees are submitted:						Applicant use	Office use only
a) Basic national fee\$300.00						\$ 300.00	
					\$ 200.00		
					\$ 500.00		
TOTAL OF ABOVE CALCULATIONS = \$1000.00					\$ 1,000.00		
Additional fee for specification and drawings filed in paper over 100 sheets (including sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.							
Total Sheets	Extra Sheets		of each additional 50 or fract (round up to a whole numbe		RATE		
** - 100 =	0 / 50 =		0		x \$250.00	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).						\$ 130.00	
CLAIMS	NUMBER	FILED	NUMBER EXTRA	R	ATE		
Total claims	22	- 20 =	2	х	\$50.00	\$ 100.00	
Independent claims	1	- 3=	0	x \$	200.00	\$ 00.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			e)	+ \$	360.00	\$	
TOTAL OF ABOVE CALCULATIONS =						\$ 1,230.00	
Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.						\$	
	\$ 1,230.00						
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).							
	\$ 1,230.00						
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.21). \$40.00 per property							
	\$ 1,230.00	!					
						Amount to be refunded:	\$
						Amount to be charged	\$1,230.00
a. A check in the amount of \$ to cover the above fees is enclosed.							
b. Please charge my Deposit Account No. 50-2387 in the amount of \$\(\frac{1,230.00}{2,3000}\) to cover the above fees. A duplicate copy of this sheet is enclosed.							
c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2387. A duplicate copy of this sheet is enclosed.							
d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.							
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.							
SEND ALL CORRESPONDENCE TO:							
ARNOLD & PORTER LLP Systam Landson							en
Attn: IP Docketing							$\bigcirc$
Wasting						arsh/Kristan L.	Lansbery
Tel · 202-042 5000							
Fax: 202-942-5999 41,408/53,183  REGISTRATION NUMBER							

## ARNOLD & PORTER LLP

202.942.5000 202.942.5999 Fax

555 Twelfth Street, NW Washington, DC 20004-1206

February 21, 2006

Mail Stop PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Re: U.S. National Phase Application

Based on International Application No. PCT/EP2004/009364

International Filing Date: 20 August 2004

Appln. No.: To Be Assigned

Filed: Herewith

Title: Fusion Polypeptides, and Use Thereof in Antivascular Tumor Therapy

Applicants: Wolfgang E. BERDEL et al.

Atty. Docket: 20490.003

Sir:

The following documents are forwarded herewith for appropriate action by the Receiving Office of the U.S. Patent and Trademark Office (RO/US):

- 1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (in duplicate);
- 2. an English translation of the Published International Application entitled:

Fusion Polypeptides, and Use Thereof in Antivascular Tumor Therapy and naming as inventors:

Wolfgang E. BERDEL and Rolf M. MESTERS;

the application consisting of:

- a. a specification containing:
  - (i) 31 pages of a description prior to the claims;
  - (ii) 3 pages of claims;

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Commissioner for Patents Atty. Dkt.: 20490.003 Date February 21, 2006 Page 2

- (iii) a one page abstract;
- (iv) 22 pages of drawings (Figures 1-37);
- (v) <u>18</u> pages of a paper copy of the sequence listing;
- 3. a sequence listing in Computer Readable Form (CRF), on floppy diskette;
- 4. a Statement Regarding Sequence Submission;
- 5. a Preliminary Amendment;
- 6. a Substitute Specification (in the English language);
- 7. a copy of Published International Application (WO 2005/021593 A1);
- 8. a Marked-Up copy of the Specification;
- 9. a Substitute Sequence Listing;
- a copy of Form PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document);
- 11. a copy of Form PCT/IB/308 (Notice Informing the Applicant of the Communication of the International Application to the Designated Offices);
- 12. two (2) return postcards.

Applicants request that \$1,230.00 for the following fees be charged to Deposit Account No. 50-2387, referencing matter number 20490.003:

\$1	,000.00	basic filing fee				
\$_	100.00	excess claims fee				
\$	130.00	late declaration fee				

Please stamp one of the two attached postcards with the filing date of these documents and return it to our courier, and stamp the other prepaid postcard with the filing date and unofficial application number and return it as soon as possible.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any fees, other than the above fees (\$1,230.00) are due in conjunction with this filing. However, if any additional fees are required in the present application, including any fees for extensions of

## ARNOLD & PORTER LLP

Commissioner for Patents Atty. Dkt.: 20490.003 Date February 21, 2006 Page 3

time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing matter number 20490.003. A duplicate of this letter is enclosed.

Respectfully submitted,

David R. Marsh (Reg. No. 41,408)

Bistan Land

Kristan L. Lansbery (Reg. No. 53,183)

Attachments